

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 22-20340-CR-WILLIAMS(s)

UNITED STATES OF AMERICA

v.

MASPHAL KRY,

Defendant.

**GOVERNMENT'S FOURTH RESPONSE TO  
THE STANDING DISCOVERY ORDER**

The United States hereby files this supplemental response to the Standing Discovery Order.

An electronic storage device containing the materials listed on the attached discovery log is being supplied with the service copy of this Response.

The majority of the materials being provided are in the nature of early *Jenks*. The authors of the various Reports of Investigation are identified in each document. Unless otherwise specified, and consistent with the position taken by the United States regarding such materials during various status conferences, the United States is making these materials available in anticipation of the authors being witnesses at trial of this matter. Because of the volume, early *Jenks* is appropriate and consistent with the wishes expressed by the Court. There will be additional productions of *Jenks* statements in the future but minimal in comparison with the present production.

In addition to its character as *Jenks*, some of the Reports reference issues that appear to be within the scope of the defense(s) being raised to the pending charges as the government perceives them. To the extent that the government has recognized those relationships, the following Reports of Investigation [identified by the three numerals following the letter "R" on the report] would appear to fall within the defense view of *Brady* material and be a possible source of exculpatory evidence, or for use in crafting cross-examination of government witnesses:

009	016	022	023	024	025	027	029	036	041	046	047
048	074	075*	076	099	103	106	113	116	119	148	223
237	242	254	277	299	313	314	318	330	336	338	355

- This report may also include material regarded as within the scope of *Giglio* with respect to the government's cooperating private individual.

. To date, the United States has received no reciprocal discovery in this matter. Accordingly, pursuant to the Standing Discovery Order, the United States renews its request for the disclosure and production of materials listed in Section (b) of Local Rule 88.10. This request is also made pursuant to Rule 16(b) of the Federal Rules of Criminal Procedure.

The government is aware of its continuing duty to disclose such newly discovered additional information required by the Standing Discovery Order, Rule 16(c) of the Federal Rules of Criminal Procedure, Brady, Giglio, Napue, and the obligation to assure a fair trial.

Attachment 1 hereto is a log reflecting the discovery materials being provided on the electronic media accompanying the service copy of this Response. Please contact the undersigned Assistant United States Attorney if any items are missing or not accessible.

Respectfully submitted,

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cc: Special Agent D. Manera  
USFWS OLE

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on July 11, 2023, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document with the

described electronic media is being served by hand-delivery this day on John Byrne, Esq., counsel for defendant Masphal Kry.

/s/ Emily R. Stone  
Assistant United States Attorney